

XI. And be it enacted, That *subpœnas* may issue from the chancery, or from the general court of either shore, to summon parties to appear before the chancellor, to maintain or answer any *caveat*, or to require the attendance of any witnesses to give testimony on any *caveat*, provided there be not less than fifteen days on the western, and thirty days on the eastern shore, between the date of the *subpœna* and the day of the return thereof; and every sheriff shall obey such *subpœna*, and, on return thereof, attachment for contempt may issue out of the court issuing the *subpœna*, against any witness who shall not attend, and the court may fine such witness for non-attendance, as in other cases; and every witness shall have the same allowance for his attendance and itinerant charges, as on *subpœnas* out of the general court, and may compel the party at whose request he is summoned to pay him the same, either by attachment from the court out of which the *subpœna* issued, or by warrant, before a justice of the peace, if under five pounds current money; and the chancellor may compel the person against whom he shall determine on the *caveat*, to pay all the expences of issuing any *subpœna*, and of the witnesses; and the chancellor may, by rule, direct any deposition to be taken and received as evidence before him, on the hearing any *caveat*, provided reasonable notice in such order be given to the other party.

C H A P.  
XXXVIII.  
Subpœnas  
may issue, &c.

C H A P. XXXIX.

An ACT for the speedy application of the monies appropriated for repairing the streets in Baltimore-town, in Baltimore county, and for other purposes.

**W**HEREAS it appears to this general assembly, that the welfare of Baltimore-town would be promoted, were special commissioners appointed, to pave and keep in repair the streets, and to build and repair bridges in said town: Therefore,

Preamble.

II. Be it enacted, by the general assembly of Maryland, That Messieurs William Spear, James Steret, Englehart Yeizer, George Lindenburgher, Jesse Hollingsworth, Thomas Elliott, and Peter Hoffman, be and are hereby appointed special commissioners, with full power to direct and superintend the levelling, pitching, paving and repairing, the streets, and the building and repairing the bridges, within said town, and to devise and do all and every thing necessary to promote this end, which they may judge for the benefit or advantage of the said town and its inhabitants.

Special commissioners appointed. &c.

III. And be it enacted, That the licensed auctioneer for the said town, pay to the said special commissioners all monies in his hands, which have arisen, or which may hereafter arise, upon all sales by auction, in the manner and agreeable to an act to regulate auctions in Baltimore-town, in Baltimore county, passed at a session of assembly, begun and held at the city of Annapolis, on Thursday the tenth day of May, in the year of our Lord one thousand seven hundred and eighty-one.

Auctioneer to pay monies, &c.

IV. And be it enacted, That the commissioners of Baltimore-town pay to the said special commissioners all monies paid to them, or in their hands, by virtue of their powers for repairing the streets of said town.

Commissioners to pay all monies, &c.

V. And be it enacted, That all and every fine and forfeiture, heretofore appropriated, or that hereafter may be appropriated, for the repair of said streets, or for the use and benefit of said town, be collected by or paid to the said special commissioners, or to their treasurer, to be by them appointed, and applied according to the intention of this act.

Fines, &c. to be paid to special commissioners, &c.

VI. And, whereas the aforesaid appropriations may be inadequate, Be it enacted, That the said special commissioners may borrow, to the amount of five thousand pounds current money, from the inhabitants of said town, pledging for the discharge thereof the whole or any part of the above appropriations, the money so borrowed to be applied as aforesaid.

Who may borrow money, &c.

VII. And